

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

FRANCIS V. GADZIK

4620 STEIN AVE

MADISON, WI 53714

(Full name of plaintiff(s))

VS

DOLLAR THRIFTY GROUP

4000 INTERNATIONAL LANE

MADISON, WI 53704

(Full name of defendant(s))

Case Number:

09 C 434 C

(Supplied by clerk)

o/o MICHAEL HOLDGRAFER
DOLLAR THRIFTY AUTOMOTIVE
GROUP

P.O. Box 35985
TULSA, OK 74153-0985

COMPLAINT

A. JURISDICTION

1. FRANCIS V. GADZIK
(Plaintiff)

, resides at

4620 STEIN AVE
(Address)

, at

MADISON, WI 53714
(City, State)

2. Defendant DOLLAR THRIFTY AUTOMOTIVE GROUP is employed as
(Name of First Defendant)

4000 INTERNATIONAL LANE at MADISON, WI 53704
(Position and Title, if any) (Address)

3. Defendant _____ is employed as
(Name of Second Defendant)

(Position and Title, if any)

at

(Address)

B. CAUSE OF ACTION

On the space provided on the following pages, tell what specific incidents or conversations occurred which led you to believe your constitutional or federal rights have been or are presently being violated. IT IS IMPORTANT THAT THE ALLEGATIONS BE BRIEF, BUT SPECIFIC. Do not cite legal authorities, such as earlier court decisions or laws enacted by the legislature or Congress, to support your lawsuit at this early stage of your case.

ON APPROXIMATELY 3/21/06 I MADE AN ORAL COMPLAINT ^{FORMAL} TO BRANCH MANAGER PHILIP LEFACE THAT I HAD BEEN SEXUALLY HARASSED BY FEMALE CO-EMPLOYEE HELENA SYMES FOR APPROXIMATELY ONE AND A HALF YEARS. FOLLOWING THIS COMPLAINT THE HARASSMENT CEASED FOR TWO MONTHS. WHEN THE HARASSMENT RESUMED I BEGAN FILING A SERIES OF WRITTEN COMPLAINTS. CONCURRENTLY DOLLAR THRIFTY BEGAN WRITING ME UP FOR PROPERTY DAMAGE INCIDENTS. WHEN I WOULD NOT WITHDRAW MY SEXUAL HARASSMENT COMPLAINTS THEY FIRED ME FOR PROPERTY DAMAGE.

I FILED LITIGATION WITH THE STATE OF WISCONSIN PHOTOGRAPHICALLY DOCUMENTING APPROXIMATELY 70 INCIDENTS OF PROPERTY DAMAGE TO THE EMPLOYER'S AUTO STORAGE GARAGE ALONE. FOR EVERY EVERY COLLISION WITH THE GARAGE THERE ARE APPROXIMATELY FIVE AUTO-TO-AUTO COLLISIONS. IN PROCEEDINGS BEFORE THE LABOR AND INDUSTRY REVIEW COMMISSION I CONTENDED THAT NO OTHER EMPLOYEE (INCLUDING MYSELF) HAD BEEN ~~DIS~~ DISCIPLINED FOR ANY OF THESE INCIDENTS. AT THESE HEARINGS THE DEFENDANT EMPLOYER WAS

UNABLE TO PRODUCE EVIDENCE THAT ANY OTHER EMPLOYEE WAS EVER DISCIPLINED FOR PROPERTY DAMAGE.

On August 24, 2007 THE LABOR AND INDUSTRY REVIEW COMMISSION ISSUED A DECISION CONCUDING THAT I THE EMPLOYEE WAS NOT FIRED FOR MISCONDUCT/ PROPERTY DAMAGE, AND UNEMPLOYMENT INSURANCE BENEFITS WERE ALLOWED.

THE EMPLOYER HAD AN OPPORTUNITY TO APPEAL THIS DECISION TO A HIGHER LEVEL AND CHOSE NOT TO.

I THEN FILED A COMPLAINT WITH THE FOR SEXUAL HARASSMENT WITH THE U.S. EMPLOYMENT OPPORTUNITY COMMISSION. ON 4/16/09 THEY ISSUED A DECISION DENYING MY COMPLAINT AND ALLEGING THAT I WAS DISCHARGED FOR PROPERTY DAMAGE.

WHEN I RECEIVED THIS DECISION I PHONED THE EEOC INVESTIGATOR BARBARA YSTENES. I ASKED HER IF SHE HAD OBTAINED ~~AS~~ A COPY OF THE LIRC DECISION AND IF SHE WERE AWARE THAT THEY HAD CONDUCTED AN INVESTIGATION WHICH INCLUDED TAKING SWORN TESTIMONY FROM THREE OF THE EMPLOYER'S MANAGERS. SHE SAID SHE HAD NOT AND WAS NOT. SHE ALSO SAID THAT THAT INFORMATION WOULD

WOULD NOT HAVE CHANGED HER DECISION. THIS
CONDUCT BY THE EEOC IS IRRATIONAL, UNPROFESSIONAL,
AND UNCOMPREHENSIBLE. AS SUCH, I APPEAL TO
THE DISTRICT COURT TO OVERTURN THE EEOC DECISION
AND AWARD ME WHATEVER BENEFITS AND COMPENSATION
TO WHICH I MAY BE ENTITLED UNDER THE LAW.
RESPECTFULLY SUBMITTED - Francis V. Doyle 7/9/09

C. REQUEST FOR RELIEF

1. I FRANCIS V. GADYK request that I be allowed to commence this action without
(do, do not)
prepayment of fees and costs, or security therefor, pursuant to 28 U.S.C. §1915. The
attached affidavit of indigency has been completed and is submitted in support of this
request for leave to proceed in forma pauperis.

2. In the following space, please indicate exactly what it is you wish this court to do.

I WOULD LIKE THE DISTRICT COURT TO OVERTURN THE DECISION
OF THE EEOC AND PROVIDE ME WITH WHATEVER COMPENSATION
I MAY BE DO.

Dated this 09 day of JULY, 2009.

Francis V. Gadyk
(Signature)

4620 STEIN AVE
(Street or PO Box)

MADISON, WI 53714
(City, State Zip Code)